

## **REMARKS/ARGUMENTS**

Claim 1 was presented for examination and remains pending in this application. In the Office Action mailed June 6, 2006, claim 1 was rejected under 37 C.F.R. § 1.75 for failing to comply with proper claim format, under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph as indefinite and failing to particularly point out and distinctly claim the subject matter Applicant regards as his invention, and under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

Claim 1 has been amended to address the rejections and new dependent claims 2 and 3 are added. Reconsideration and withdrawal of the rejections are respectfully requested in view of the above amendments and the following remarks.

A. Rejection Under 37 C.F.R. § 1.75 Addressed by Amending Claim to Proper Claim Format.

Claim 1 is amended above to proper claim format, now phrased as a single sentence, starting with a preamble having "comprising" transition language ending in a colon (":"), following by multiple steps, each ending with a semicolon (";"), the word "and" appearing at the end of the next-to-last step, and the final step ending with a period ("."). Withdrawal of the rejection under 37 C.F.R. § 1.75 is therefore proper and respectfully requested.

B. Rejection Under 35 U.S.C. § 112, 2<sup>nd</sup> Paragraph Addressed.

Claim 1 was rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph as indefinite and failing to distinctly claim the subject matter which the Applicant regards as the invention. Claim 1 has been amended to more clearly claim the inventive subject matter, and no new matter is added thereby. Withdrawal and reconsideration of the rejection is respectfully requested in view of the above amendments.

Amended claim 1 appears below:

1. A method of creating a 3 dimensional ("3-D") computer model of a plurality of rooms of an architectural structure comprising the steps of:
  - (a) launching an computer-aided design software program adapted to receive measurements from a laser measuring device and operative to create a computer model of a room on a computing device;

- (b) launching a dialog box of the software program by either using the mouse, or entering the designated number on the laser measuring device;
- (c) measuring a length of a wall of a room using the laser measuring device;
- (d) transmitting the wall length measurement to the computing device;
- (e) receiving the wall length measurement by the program
- (f) populating a length field in the dialog box with the wall length measurement;
- (g) measuring a height of the wall using the laser measuring device;
- (h) Transmitting the wall height measurement to the computing device;
- (i) Receiving the wall height measurement by the program;
- (j) populating a height field with the wall height measurement;
- (k) determining a thickness of the wall;
- (l) inputting the wall thickness measurement into the program by manual entry into the computing device or by transmission by the laser measuring device and receiving by the program;
- (m) accepting a rendering of the wall generated by the program by manual entry into the computing device or with the laser measuring device and thereby confirming the computer generated wall rendering has been created properly;
- (n) moving around the interior of the room and repeating selected ones of steps (a) through (m) a plurality of times for each of a selected combination of architectural objects; and
- (o) moving to at least one more room in the architectural structure and for each such room, repeating step (n) a selected number of times until a desired portion of the structure has been measured and the computer model rendering of the plurality of rooms of the architectural structure has been created.

Claim 1 now clearly reciting a method by which an accurate rendering of a plurality of rooms of an architectural structure can be generated when utilizing a laser measuring device to input directly into a architectural rendering software program, thereby creating a computer model rendering. Accordingly, withdrawal of the 35 U.S.C. § 112, 2<sup>nd</sup> paragraph rejection is proper and respectfully requested.

C. Rejection Under 35 U.S.C. § 101 Addressed.

Claim 1 was rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. As amended, claim 1 now clearly describes generation of a computer model rendering, a practical application which is a useful, concrete and tangible result. Withdrawal of the rejection is respectfully requested.

D. Amendments to the Specification.

The amendments to the Specification merely conform the specification text to claim 1 as originally filed. No new matter is added thereby.

E. Conclusion.

New dependent claim 2 is added which recites the limitation of creating a computer model of a whole architectural structure, previously recited in original claim 1. New apparatus claim 3 claims the second aspect of the invention identified in the title as the subject matter of the application: an "Apparatus and Method for Inputting Measurements into a Software Product to Construct Software Models of Architectural Structures". No new matter is believed introduced thereby. All claims now believed to be allowable form, such action is respectfully requested. The Examiner is asked to kindly telephone the undersigned, should any issues remain or the Examiner be of the view that such a call would expedite prosecution.

F. Petition for 1-Month Extension.

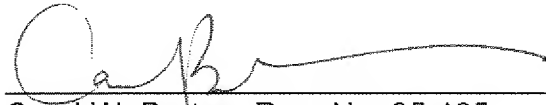
The undersigned hereby petitions for a 1-Month Extension to October 6, 2006. Please charge Deposit Account No. 50-1123 the small entity extension fee and any other fees associated with herewith.

G. Power of Attorney.

Enclosed is a Power of Attorney and Change of Correspondence Address to the practitioners associated with Customer No. 25,235. Entry of the Power of Attorney and Correspondence Address is requested.

Respectfully submitted,

October 6, 2006

A handwritten signature in black ink, appearing to read 'Carol W. Burton', written over a horizontal line.

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